

CONTOS & BUNCH
LAWYERS

October 13, 1986

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REPLY TO: Woodland Hills

John G. Peterson, Esq.
PETERSON & BRYNAN
8530 Wilshire Boulevard, Ste. 407
Beverly Hills, CA 90211

Re: Church of Scientology of California vs.
Gerald Armstrong; LASC Case No. C 420153
(severed action)

Dear Mr. Peterson:

I am in receipt of your hand-delivered letter of October 9, 1986, regarding the deposition of Gerald Armstrong noticed for October 16-17, 1986, and other discovery propounded upon him.

As stated in my letter of October 8, it was the Court's order that your client fully comply with the outstanding Request for Production regarding Mr. Armstrong before any discovery from Mr. Armstrong could be taken. Compliance means resolution of production with respect to upper level materials, a declaration concerning the contents of the boxes of documents in the possession of the Christofferson court, and a declaration regarding compliance with production of the "B-1" file. The "B-1" declaration is to be prepared only following a review of Mr. Armstrong's declaration regarding documents missing from the "B-1" file.

I specifically stated to the Court that this was the procedure to be followed with respect to the "B-1" file. Both you and the Court agreed. Thus, it is your client's burden to review the enclosed declaration of Gerald Armstrong and to state what steps were taken to locate the documents Mr. Armstrong indicates are missing from the "B-1" file. It is your client's further burden to state that if none of the missing documents exist, your client has produced the entirety of Guardian Office documents regarding Mr. Armstrong. Guardian Office would also include any entities subsequently organized to perform the functions of the allegedly disbanded Guardian's Office.

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Without full compliance with the Court's order, you will not obtain any discovery from Mr. Armstrong. This includes the deposition noticed for October 16-17, 1986.

In addition, I understand from Mr. Armstrong that the deposition of Laurel Sullivan was set for the same two days. I have never received notice of Ms. Sullivan's deposition and thus object to the deposition going forward. I demand appropriate notice of all depositions to be taken in this case by your client. If you go forward with Ms. Sullivan's deposition on October 16-17, 1986, I will move to bar its use at time of trial.

Lastly, as I advised Karen McCabe on October 10, 1986, a large number of pages from the "B-1" file that your client produced were missing from our set. As you know, Mr. McPherson had the pages stamp numbered before turning them over to your client for production in this case. In Mr. Armstrong's review of these documents, he found that a large number of them were missing. Although we have taken steps to obtain copies of those missing documents from Mr. McPherson directly, this represents just another example of your client's obstructionist conduct with respect to production of legitimate discovery.

Very truly yours,

CONTOS & BUNCH



JULIA DRAGOJEVIC

JD:pr
encls.

cc: Gerald Armstrong
Donald C. Randolph, Esq.
Roger Geller, Esq.
w/o enclosures